

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Attorney's Docket Number: 6530.0008-02

Prior Application:

jc408 U.S. PTO  
10/23/98

jc518 U.S. PTO  
09/17/502  
10/23/98

Art Unit: 3309

Examiner: M. Peffley

SIR: This is a request for filing a

Continuation  Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 08/354,992 filed December 13, 1994 of Charles R. SLATER for BIPOLAR ENDOSCOPIC SURGICAL SCISSOR BLADES AND INSTRUMENT INCORPORATING THE SAME.

1.  Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 08/354,992 as originally filed on December 13, 1994.
2.  Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3.  Cancel Claims 1-23 and 30-39.
4.  A Preliminary Amendment is enclosed.
5.  The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

For	: Number Filed	: Number Extra	: Rate	: Basic Fee \$790.00
Total	:	:	:	:
Claims	: 23 -20=	: 3	: x\$ 22.00=	: \$66.00
Independent	:	:	:	:
Claims	: 2 - 3=	: 0	: x\$ 82.00=	: 0
Multiple Dependent Claim(s) (if applicable)			: +\$270.00=:	
			Total = :	\$856.00
			Reduction by ½ for	:
			filing by small entity	: - 0
			TOTAL FILING FEE	= : \$856.00

6.  A check in the amount of \$856.00 to cover the filing fee is enclosed.
7.  The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.

8.  Amend the specification by inserting before the first line, the sentence:  
--This is a  continuation  division of application Serial No. 08/354,992, filed December 13, 1994.
9.  New formal drawings are enclosed.
10.  The prior application is assigned of record to: Symbiosis Corporation.
11.  Priority of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_  
(country) is claimed under 35 U.S.C. § 119. A certified copy  
 is enclosed or  is on file in the prior application.
12.  A verified statement claiming small entity status  
 is enclosed or  is on file in the prior application.
13.  The power of attorney in the prior application is to at least Barbara C. McCurdy, Reg. No. 32,120; Doris Johnson Hines, Reg. No. 34,629; and Leslie I. Bookoff, Reg. No. 38,084.
14.  The power appears in the original declaration of the prior application.
15.  Since the power does not appear in the original declaration, a copy of a Revocation of Power of Attorney and Power of Attorney filed in the prior application is enclosed.
16.  Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315.
17.  Recognize as associate attorney \_\_\_\_\_  
(name, address & Reg. No.)
18.  Also enclosed is an Information Disclosure Statement, PTO Form 1449 (4 pages), and copies of 85 references, Declarations of Mark A. Rydell, David J. Parins, and Joseph A. O'Brien, and Paper Nos. 41, 43, 44, and 45 from Interference No. 103,765.

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 08/354,992,

filed December 13, 1994, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

**FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.**

By:

Leslie I. Bookoff  
Reg. No.: 38,084

Date: October 23, 1998

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON, DC 20005  
202-408-4000